

REMARKS

Favorable reconsideration is respectfully requested in view of the above amendments and following remarks. Entry of this Amendment is respectfully requested in consideration of the RCE filed herewith. Claims 1, 8 and 10-11 have been amended, and are supported for example in Figures 7-9 and descriptions thereof. Claims 4 and 9 have been editorially amended. No new matter has been added. Claims 1-13 are pending.

Claims 1-6 and 8-13 are rejected under 35 U.S.C 103 (a) as being unpatentable over Hammer et al. (U.S. Patent Application US 2001/0051377 A1). Applicants respectfully traverse the rejection to the extent it is maintained.

Claim 1 is directed to a measuring equipment including an operation control means. The operation control means decides whether a cartridge container is a special-purpose cartridge container or a general-purpose cartridge container when a carrier identification means decides if an information carrier respectively is or is not attached to the cartridge container. The operation control means conducts a measurement based on whether the cartridge container is a special-purpose or general-purpose container.

Claim 8 is directed to a measuring method that includes deciding whether a cartridge container is a special-purpose cartridge container or a general-purpose cartridge container, and conducting a measurement based on whether the cartridge container is a special-purpose cartridge container or a general-purpose cartridge container. When the cartridge container is a special-purpose cartridge container, a measurement is conducted by reading out measurement conditions from a storage means based on information relevant to the items included in an information carrier. When the cartridge container is a general-purpose cartridge container, a measurement is conducted by outputting information relevant to selectable items of the measurement object so as to allow an operator to select items of the measurement object, and then reading out measurement conditions from the storage means for the items selected and input by the operator.

Claim 10 is directed to a program recording medium. Claim 10 recites a control program deciding whether a cartridge container is a special-purpose cartridge container or a general-purpose cartridge container. When the cartridge container is a special-purpose cartridge container, the control program directs a measuring means to conduct a

Application No. 10/049798
Page 10

measurement following measurement conditions read out from a storage means based on information relevant to items included in an information carrier. When the cartridge container is a general-purpose cartridge container, the control program outputs information relevant to selectable items of the measurement object to allow an operator to select items of the measurement object, and reads out measurement conditions from the storage means for the items of the measurement object selected and input by the operator.

The features of claims 1, 8, and 10 may provide advantageous results of high versatility, where measurements may be taken such that both general-purpose and special-purpose cartridge containers may be used. (See for example page 2, lines 20-25 and page 25, lines 32-36.)

Hammer et al., however, does not render claims 1, 8, and 10-11 obvious. Hammer et al. does not teach or suggest the features of claims 1, 8, and 10. For example, the cited reference does not teach or suggest any of the operation control means as required by claim 1, the conducting of a measurement as required by claim 8, or the control program as required by claim 10. Hammer et al. does not teach or suggest any measuring equipment or measuring method that can support both special-purpose and general purpose cartridge containers as in the claimed invention. Thus, Applicants respectfully submit that claims 1, 8, and 10-11 and dependent claims therefrom are patentable over Hammer et al.

Moreover, Hammer et al. does not teach or suggest the features required by claim 2. Claim 2 requires that the information carrier is an optically readable carrier, and optical read means is disposed in means for transferring liquid between the vessels of the cartridge container. Hammer et al. fails to teach or suggest such a feature for an information carrier. Therefore, Applicants respectfully submit that this claim is patentable for at least these reasons.

Favorable reconsideration and withdrawal of the rejection are respectfully requested.

Application No. 10/049798
Page 11

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hammer et al. (above) in view of Peterson et al. (U.S. Patent Application Publication No 2001/0012612 A1).

As noted above, claim 1 is patentable over Hammer et al. Claim 7 depends upon claim 1, and is allowable over Hammer et al. for at least the same reasons with respect to claim 1. Peterson et al. does not remedy the deficiencies of Hammer et al. Thus, claim 7 is allowable over any combination of Hammer et al. and Peterson et al. Applicants do not concede the correctness of the rejection.

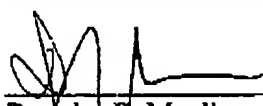
Favorable reconsideration and withdrawal of the rejection are respectfully requested.

In view of the above, Applicants believe that this application is in a condition for allowance. Favorable reconsideration of this application in the form of a Notice of Allowance is respectfully requested. If any further questions arise, the Examiner is invited to contact Applicants' representative at the number listed below.

Respectfully Submitted,

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